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PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Information and Management Services Division
Management Services Branch**

**Resolution No. M-4815
November 18, 2005**

R E S O L U T I O N

**RESOLUTION M-4815. ADOPTING LEVEL OF PUBLIC UTILITIES
COMMISSION TRANSPORTATION REIMBURSEMENT ACCOUNT
FEES FOR FISCAL YEAR 2005-06**

Public Utilities Code Section 421 provides:

“ The commission shall annually determine a fee to be paid by every passenger stage corporation, charter-party carrier of passengers, pipeline corporation, for-hire vessel operator, common carrier vessel operator, railroad corporation, and commercial air operator and every other common carrier and related business subject to the jurisdiction of the commission, except as otherwise provided in Article 3 (commencing with Section 431) of this chapter and Chapter 6 (commencing with Section 5001) of Division 2.”

The Commission finds that for fiscal year 2005-06, the Public Utilities Commission Transportation Reimbursement Account fees should be fixed as follows:

<u>CLASS</u>	<u>FEE</u>
Passenger Vehicle Operators	$\frac{1}{4}$ of 1% of gross revenue plus minimum \$ 10.00 quarterly fee \$ 25.00 annual fee
Vessel Operators:	
Common Carrier Vessel Operator	$\frac{1}{2}$ of 1% of gross revenue plus minimum \$ 10.00 quarterly fee

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	\$ 25.00 annual fee
For-Hire Vessel Operator	\$25 each

Railroad Corporations:

Class I:

Burlington Northern Santa Fe	\$1,267,665.40
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Union Pacific	\$3,106,094.60
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Class II and III (shortline)	0.22% of gross revenue, minimum of \$500 each
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Commercial Air Operators	\$25 each
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Pipeline Corporations	3/100 of 1% of gross revenue
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The fee levels set by this resolution for passenger vehicle operators, vessel operators, commercial air operators and pipeline corporations are unchanged from the fee levels set for fiscal year 2004-05. The total fee level of \$4,556,000 set for the railroad corporations reflect a \$1,113,000 increase from the \$3,443,000 level set for fiscal year 2004-05. This increase is primarily the result of an additional 10 positions and \$959,000 appropriated for increased railroad inspections and investigations, and \$100,000 appropriated for a working group to provide a report to the legislature on railroad safety issues.

The estimated fund reserve at June 30, 2006, will be \$3,162,000. See Appendix A.

In accordance with Public Utilities Code Section 311(g), the Information and Management Services Division commenced publication of a Daily Calendar notice on October 18, 2005, that apprised the public of the availability of its draft of this resolution and solicited submission of comments by November 8, 2005.

IMSD did not receive comments on this resolution.

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THEREFORE, IT IS ORDERED THAT:

For the fiscal year 2005-06 the fees provided for in Section 421 of the Public Utilities Code are hereby fixed at the following levels:

<u>CLASS</u>	<u>FEE</u>
Passenger Vehicle Operators	$\frac{1}{4}$ of 1% of gross revenue plus minimum \$ 10.00 quarterly fee \$ 25.00 annual fee
Vessel Operators:	
Common Carrier Vessel Operator	$\frac{1}{2}$ of 1% of gross revenue plus minimum \$ 10.00 quarterly fee \$ 25.00 annual fee
For-Hire Vessel Operator	\$25 each
Railroad Corporations:	
Class I:	
Burlington Northern Santa Fe	\$1,267,665.40
Union Pacific	\$3,106,094.60
Class II and III (shortline)	0.22% of gross revenue, minimum of \$500 each
Commercial Air Operators	\$25 each
Pipeline Corporations	$\frac{3}{100}$ of 1% of gross revenue

For the sole purpose of providing a more economical, simple and efficient method of collecting and accounting for fees required to be charged and collected under the Public Utilities Commission Transportation Reimbursement Account, passenger vehicle and vessel operators who engage the services of sub carriers as prime carriers are responsible for the payment of the fees on the gross earnings of sub carriers. Such services of sub carriers by these prime carriers shall be evidenced by a written document.

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For the fiscal year 2005-06, the penalty provided for in Section 405 of the Public Utilities Code for default of the payment of the fee provided for in Section 421 of the Public Utilities Code shall remain fixed at 25% of the amount of the fee.

I hereby certify that the Public Utilities Commission adopted this Resolution at the meeting on November 18, 2005. The following Commissioners approved it:

STEVE LARSON
Executive Director

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APPENDIX A

FUND CONDITION

**461- PUBLIC UTILITIES COMMISSION TRANSPORTATION REIMBURSEMENT
ACCOUNT**

Actual Reserve, June 30, 2005	\$ 3,708,000
Estimated 2005-06 Revenues	
Quarterly Fees:	\$ 7,139,000
Passenger Vehicle Operators	(2,343,000)
Common Carrier Vessel Operators	(160,000)
Pipeline Corporations	(70,000)
Railroad Corporations	(4,556,000)
Commercial Air Operators, For-Hire Vessel Operators	(10,000)
Other Regulatory Licenses and Permits	1,300,000
Income from Surplus Money Investments	<u>70,000</u>
Total, Revenues	\$ 8,509,000
Total Resources	\$12,217,000
2005-06 Expenditures:	
Public Utilities Commission	\$ 9,055,000
Passenger Vehicle Operators	(4,259,000)
Common Carrier Vessel Operators	(160,000)
Pipeline Corporations	(70,000)
Railroad Corporations	(4,556,000)
Commercial Air Operators, For-Hire Vessel Operators	<u>(10,000)</u>
Total, Expenditures	\$ 9,055,000
Estimated Reserve, June 30, 2006	\$ 3,162,000